

**MATTHEW A. SIROKA** ATTORNEY AT LAW

---

November 27, 2007

The Honorable Saundra Brown Armstrong  
United States District Court  
1301 Clay Street  
Oakland, California 94612

VIA E-FILING AND FACSIMILE TO 510.637.3564

Re: *Joel Hornstein v. The Vanguard Group, Inc.* C 07-3239 SBA  
Notice of Settlement and Request for Conditional Dismissal

Your Honor,

The parties are pleased to announce they have reached a settlement. As such, plaintiff requests entry of a conditional dismissal of the action. Once the settlement has been finalized, the parties will inform the Court and seek dismissal. The parties also request that the Court vacate any future dates, including the hearing on the Order to Show Cause calendared for tomorrow at 4:00 p.m.

Thank you for your consideration.

Very truly yours,



Matthew A. Siroka  
Attorney for Plaintiff Joel Hornstein